

HOUSE BILL REPORT

HB 2397

*As Reported By House Committee on:
Environmental Affairs*

Title: An act relating to the containment of waste materials.

Brief Description: Imposing a fee on waste transported without a cover.

Sponsor(s): Representatives Bray, Neher, Pruitt, D. Sommers, Rust and Valle.

Brief History:

Reported by House Committee on:
Environmental Affairs, January 24, 1992, DPS.

**HOUSE COMMITTEE ON
ENVIRONMENTAL AFFAIRS**

Majority Report: *The substitute bill be substituted therefor and the substitute bill do pass.* Signed by 10 members: Representatives Rust, Chair; Valle, Vice Chair; Bray; Brekke; G. Fisher; J. Kohl; Neher; Pruitt; D. Sommers; and Sprenkle.

Minority Report: *Do not pass.* Signed by 3 members: Representatives Horn, Ranking Minority Member; Edmondson, Assistant Ranking Minority Member; and Van Luven.

Staff: Rick Anderson (786-7114).

Background: Litter surveys from 1982 to 1987 show that the amount of litter from vehicles with unsecured loads has remained steady at around 40 percent of all litter.

A 1990 litter survey shows that this type of "non-deliberate" littering has increased to nearly half of all litter. The cause for the increase in this type of littering appears to be that the number of pickup trucks has nearly doubled since 1982. Under current state law littering is a misdemeanor and is punishable with a fine of not less than \$50 and eight to 16 hours of litter pickup duty. State law requires trucks carrying dirt, sand, or gravel to cover its load under certain circumstance but does not require a cover for any other waste materials.

Yakima County and the city of Richland have adopted ordinances requiring a person arriving at the landfill without a cover on their waste to pay a surcharge. Both local governments report the measure has reduced litter, especially on the roads leading to the landfill.

Summary of Substitute Bill: Cities and counties with a transfer station or landfill in its jurisdiction are required to adopt an ordinance to establish a fee schedule for any person arriving at a disposal facility without covering the waste in a vehicle. The bill establishes surcharges ranging from \$3 to \$10 depending on the volume of the uncovered waste. Local governments can adopt a higher fee schedule and can exempt wastes that are unlikely to fall out of vehicles moving at normal highway speeds. The ordinance may also require the owner or operator of a disposal facility to offer covers for sale. Persons buying a cover receive a one-time exemption from the surcharge.

Substitute Bill Compared to Original Bill: The substitute bill adopts the more generic term of "cover," in lieu of "tarp," to clarify that loads can be secured by means other than a tarp. The substitute also clarifies that purchasing a cover at a disposal site entitles the purchaser to a one-time exemption from the surcharge and not a permanent exemption.

Fiscal Note: Requested January 14, 1992.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: The representative from the Association of Washington Cities suggested minor changes which were incorporated into the substitute bill.

Testimony Against: None.

Witnesses: Bill Alkire, Department of Ecology (pro); Ken Werenko, Department of Corrections; and Kathleen Collins, Association of Washington Cities.